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98TH CONGRESS  
1ST SESSION**S. 1238**

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To encourage and promote the continued leadership of the United States in ocean policy, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

MAY 9, 1983

Mr. HOLLINGS (for himself and Mr. PELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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**A BILL**

To encourage and promote the continued leadership of the United States in ocean policy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as ~~the~~ **“National Ocean Policy**  
5 **Commission Act of 1983”**.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) **FINDINGS.**—The Congress finds that it is in the na-  
8 tional interest to:

9 (1) encourage the development of international  
10 ocean law in a manner that will **promote the peaceful**

1       **uses of the ocean and balance the interests of the**  
2       **United States and all nations;**

3           (2) encourage and promote the continued leader-  
4       ship of the United States in conducting research on,  
5       and in conserving, managing, and developing marine  
6       resources (which includes living and nonliving re-  
7       sources of the marine environment);

8           (3) promote the wise use and compatible develop-  
9       ment of marine resources;

10          (4) encourage United States investments in the  
11       exploration and development of marine resources and  
12       technologies; and

13          (5) insure the equitable allocation of the responsi-  
14       bilities for marine resource research, conservation,  
15       management, and development among various levels of  
16       government and the private sector, and promote the ef-  
17       ficient use of limited fiscal resources for such research,  
18       conservation, management, and development.

19       (b) **PURPOSE.**—The **purpose** of this Act is to **establish** a  
20       ~~Commission~~ that will ~~develop recommendations~~ for Congress  
21       and the President **on a comprehensive national ocean policy**  
22       that is consistent with the national interest identified under  
23       subsection (a).

1   **SEC. 3. ESTABLISHMENT OF COMMISSION.**

2       To carry out the purpose of this Act, there is hereby  
3   established a Commission to be known as the National Ocean  
4   Policy Commission (referred to in this Act as the “Commis-  
5   sion”).

6   **SEC. 4. DUTIES OF THE COMMISSION.**

7       (a) **RECOMMENDATIONS.**—(1) The Commission shall  
8   **develop recommendations on a comprehensive national ocean**  
9   **policy** to carry out the purpose of this Act.

10       (2) The Commission shall **develop recommendations on**  
11   the international and domestic ocean **policies, laws, regula-**  
12   **tions, and practices of the United States that** are required to  
13   define and implement the comprehensive national ocean  
14   policy recommended pursuant to paragraph (1). Such recom-  
15   mendations shall—

16           (A) address international ocean policy issues asso-  
17       ciated with recent developments in international ocean  
18       law, including those issues relating to:

19               (i) areas within coastal State resource juris-  
20       diction; and

21               (ii) areas beyond national jurisdiction;

22           (B) include **any necessary modifications** in existing  
23   United States policies, laws, regulations, and practices  
24   to develop efficient long-range programs for research  
25   on, and the conservation, management, and develop-  
26   ment of, marine resources;

1           (C) address the most equitable allocation of re-  
2           sponsibilities for research on, and the conservation,  
3           management, and development of, marine resources  
4           among Federal departments and agencies, appropriate  
5           levels of subnational government, and the private  
6           sector; and

7           (D) address any other aspects of United States  
8           marine-related policies, laws, regulations, and practices  
9           deemed necessary by the Commission in carrying out  
10          its duties pursuant to subsection (a).

11       (b) PREPARATORY ANALYSES.—In developing its rec-  
12       ommendations for domestic and international ocean policy  
13       under subsection (a), the Commission shall:

14           (1) take into account the Presidential Proclama-  
15           tion of an exclusive Economic Zone on March 10,  
16           1983;

17           (2) Consider the relationship of United States poli-  
18           cies to the Convention on the Law of the Sea and the  
19           range of actions available to the United States to influ-  
20           ence favorably the practice of other nations so as to  
21           promote the national interest identified under section  
22           2(a);

23           (3) survey all significant ocean activities of Fed-  
24           eral departments and agencies, including those relating

1 to navigation, marine research, and the conservation,  
2 management, and development of marine resources;

3 (4) assess the existing and projected research and  
4 administrative requirements for conserving, managing,  
5 and developing marine resources;

6 (5) **evaluate the relationships among Federal de-**  
7 **partments and agencies, appropriate levels of subna-**  
8 **tional government, and the private sector for fulfilling**  
9 **the research and administrative requirements identified**  
10 **pursuant to paragraph (4); and**

11 (6) engage in any other preparatory work deemed  
12 necessary to carry out its duties pursuant to subsection  
13 (a).

14 **SEC. 5. MEMBERSHIP OF COMMISSION.**

15 (a) **NUMBER AND APPOINTMENT.**—The Commission  
16 shall consist of fifteen members who shall be appointed by the  
17 President, within sixty days after the enactment of this Act,  
18 in accordance with the provisions of this section.

19 (b) **FEDERAL AGENCY MEMBERS.**—Three members of  
20 the Commission shall be employees of the Federal executive  
21 branch:

22 (1) one such member shall be an employee of the  
23 Department of State;

24 (2) one such member shall be an employee of the  
25 Department of Commerce; and

1           (3) one such member shall be an employee of the  
2     Department of Transportation.

3           (c) **NONGOVERNMENTAL MEMBERS.**—The remaining  
4 twelve members of the Commission shall be knowledgeable  
5 and experienced in ocean policy and shall be appointed from  
6 the following categories of qualifications:

7           (1) three members shall be from recognized envi-  
8 ronmental and other nonprofit public interest organiza-  
9 tions involved with national ocean policy;

10          (2) five members shall be from commercial organi-  
11 zations (including, but not limited to, those with marine  
12 transportation and living and nonliving marine resource  
13 interests) involved with national ocean policy; and

14          (3) four members shall be recognized experts in  
15 one or more ocean policy fields.

16           (d) **METHOD OF APPOINTMENT.**—

17          (1) The Speaker of the House of Representatives  
18 (referred to in this Act as the “Speaker”) shall prepare  
19 a list of twelve nominees for appointment to the Com-  
20 mission.

21          (2) The majority leader of the Senate (referred to  
22 in this Act as the “majority leader”) shall prepare a  
23 list of twelve nominees for appointment to the Com-  
24 mission.

1           (3) The lists of nominees prepared by the Speaker  
2           and the majority leader pursuant to paragraphs (1) and  
3           (2), respectively, shall:

4                   (A) not contain any of the same nominees;

5                   (B) conform to the categories of qualifications  
6           identified in subsection (c); and

7                   (C) be submitted to the President within  
8           thirty days after the date of enactment of this  
9           Act.

10          (4) The President shall appoint six members of  
11          the Commission from the list submitted by the Speaker  
12          and six members from the list submitted by the major-  
13          ity leader. No more than three members appointed  
14          from each list may be members of the same political  
15          party.

16          (e) CHAIRMAN AND VICE CHAIRMAN.—The President,  
17          the Speaker, and the majority leader shall, by consensus, ap-  
18          point a Chairman and Vice Chairman of the Commission  
19          from members referred to in subsection (c).

20          (f) CONGRESSIONAL ADVISERS.—Congressional advis-  
21          ers shall be composed of:

22                   (1) two members of the House of Representatives,  
23                  appointed by the Speaker, who shall be from different  
24                  political parties; and



1           (2) two members of the Senate, appointed by the  
2           majority leader, who shall be from different political  
3           parties.

4           (g) GUBERNATORIAL ADVISERS.—

5           (1) There shall be eight gubernatorial advisers ap-  
6           pointed by the national organization that represents all  
7           the Governors of the States, Commonwealths, and ter-  
8           ritories of the United States.

9           (2) The advisers shall consist of two Governors  
10          from each of the following regions, who have been  
11          active on ocean and coastal issues:

12               (A) the North Atlantic region, consisting of  
13               the States of Maine, New Hampshire, Massachu-  
14               sets, Rhode Island, Connecticut, New York, New  
15               Jersey, Delaware, Pennsylvania, Maryland, and  
16               Virginia;

17               (B) the South Atlantic and gulf region, con-  
18               sisting of the States of North Carolina, South  
19               Carolina, Georgia, Florida, Alabama, Mississippi,  
20               Louisiana, and Texas, the Commonwealth of  
21               Puerto Rico, and the territory of the Virgin Is-  
22               lands;

23               (C) the Great Lakes region, consisting of the  
24               States of Minnesota, Wisconsin, Illinois, Indiana,

1 Michigan, Ohio, Pennsylvania, and New York;  
2 and

3 (D) the Pacific region, consisting of the  
4 States of Alaska, Washington, Oregon, California,  
5 and Hawaii, the Commonwealth of the Northern  
6 Mariana Islands, and the territories of Guam and  
7 American Samoa.

8 (3) No more than four of the gubernatorial advis-  
9 ers may be from the same political party.

10 (4) Each gubernatorial adviser may designate an  
11 officer or employee of his State to act in his place as a  
12 member.

13 (5) The Commission shall consult regularly and  
14 closely with the gubernatorial advisers and shall con-  
15 sider their views carefully in developing its recommen-  
16 dations.

17 (h) TERMS.—Members shall be appointed for the life of  
18 the Commission.

19 (i) VACANCIES.—A vacancy shall be filled in the same  
20 manner in which the original appointment was made. A va-  
21 cancy in Federal members shall be filled by appointment in  
22 accordance with subsection (b). A vacancy in nongovernmen-  
23 tal members shall be filled by appointment by the President  
24 in accordance with subsection (c). The new member shall  
25 meet the same qualifications as the member who has vacated

1 the position and shall be selected from a new list of at least  
2 two nominees prepared by the Speaker or the majority  
3 leader, as appropriate.

4 (j) PAY OF MEMBERS.—

5 (1) Except as provided in paragraph (2), members  
6 of the Commission shall each be paid at a rate not to  
7 exceed the rate of basic pay payable for grade 18 of  
8 the General Schedule under section 5332 of title 5,  
9 United States Code, for each day (including travel  
10 time) during which they are engaged in the actual per-  
11 formance of duties vested in the Commission.

12 (2) Members of the Commission who are officers  
13 or employees of the United States may not receive pay  
14 by reason of their service on the Commission.

15 (3) Members of the Commission may be allowed  
16 travel expenses, including per diem in lieu of subsist-  
17 ence, as may be authorized by law for persons in Gov-  
18 ernment service employed intermittently, in accordance  
19 with section 5703 of title 5, United States Code.

20 (k) MEETINGS.—The Commission shall meet at the call  
21 of the Chairman or a majority of its members.

22 SEC. 6. DIRECTOR AND STAFF OF COMMISSION.

23 (a) DIRECTOR.—The Commission shall have a Director  
24 who shall be appointed by the Chairman and who shall be  
25 paid at a rate not to exceed the rate of basic pay payable for

1 grade 18 of the General Schedule under section 5332 of title  
2 5, United States Code. The Director shall be knowledgeable  
3 in ocean policy and shall have administrative experience.

4 (b) STAFF.—Subject to such rules as may be prescribed  
5 by the Commission and consistent with existing laws and  
6 regulations, the Director may appoint such personnel as the  
7 Director considers appropriate.

8 (c) EXPERTS AND CONSULTANTS.—Subject to such  
9 rules as may be prescribed by the Commission, the Director  
10 may procure temporary and intermittent services under sec-  
11 tion 3109(b) of title 5, United States Code.

12 (d) STAFF OF FEDERAL AGENCIES.—Upon request of  
13 the Commission, the head of any Federal agency shall detail  
14 any of the personnel of such agency to the Commission to  
15 assist the Commission in carrying out its duties under this  
16 Act.

17 **SEC. 7. POWERS OF COMMISSION.**

18 (a) HEARINGS AND SESSIONS.—The Commission may,  
19 for the purposes of carrying out this Act, hold hearings, con-  
20 duct meetings, take testimony, and receive evidence, as the  
21 Commission considers appropriate. The Commission may ad-  
22 minister oaths or affirmations to witnesses appearing before  
23 it.

24 (b) POWERS OF MEMBERS AND AGENTS.—Any  
25 member or agent of the Commission may, if so authorized by

1 the Commission, take any action which the Commission is  
2 authorized to take by this section.

3 (c) OBTAINING OFFICIAL DATA.—The ~~Commission~~  
4 ~~may request directly from any~~ department or ~~agency~~ of the  
5 United States ~~information necessary to enable it to carry out~~  
6 ~~this Act. Upon request~~ of the Chairman of the Commission,  
7 the ~~head~~ of the department or agency ~~shall furnish such infor-~~  
8 mation to the Commission, ~~in accordance with any applicable~~  
9 ~~provision of law.~~

10 (d) MAILS.—The Commission may use the United  
11 States mails in the same manner and under the same condi-  
12 tions as other departments and agencies of the United States.

13 (e) ADMINISTRATIVE SUPPORT SERVICES.—The Gen-  
14 eral Services Administration shall provide to the Commission  
15 on a reimbursable basis the administrative support services  
16 that the Commission may request.

17 (f) CONTRACTS.—The Commission is authorized to  
18 enter into contracts with Federal and State agencies, private  
19 firms, institutions, and individuals for the conduct of surveys  
20 or research, the preparation of reports, and for other activi-  
21 ties that may be necessary to discharge its duties.

22 (g) SUBPENA POWER.—The Commission may issue  
23 subpoenas requiring the attendance and testimony of witnesses  
24 and the production of any evidence that relates to any matter  
25 which the Commission is required to review under section 4.

## 1 SEC. 8. REPORTS BY COMMISSION.

2 (a) The **Commission shall submit to the President** and to  
3 **each House of the Congress** ~~within one year~~ after the enact-  
4 ment of this Act **an interim report** pursuant to its duties pro-  
5 vided under section 4, giving special consideration to section  
6 4(a)(2)(A)(i).

7 (b) The Commission shall submit **a final report** to the  
8 President and to each House of the Congress not later than  
9 **two years after the date on which the Commission first**  
10 **meets.** The final report shall contain the recommendations  
11 formulated by the Commission in accordance with section  
12 4(a) (1) and (2) and may include the suggested legislative and  
13 administrative actions that the Commission deems appropri-  
14 ate, as well as a detailed statement of the findings and con-  
15 clusions on which the recommendations are based.

## 16 SEC. 9. REPORTS BY FEDERAL AGENCIES.

17 **The head of each Federal department, agency, or in-**  
18 **strumentality that is responsible for any law or program that**  
19 **relates to the Exclusive Economic Zone of the United States**  
20 **shall submit a brief report to Congress, the President, and**  
21 **the Commission describing such laws, regulations, or pro-**  
22 **grams within four months of enactment of this Act.**

## 23 SEC. 10. TERMINATION OF COMMISSION.

24 The Commission shall cease to exist on the thirtieth day  
25 after the day on which the final report is submitted under  
26 section 8.

14

1 SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

2 To carry out this Act, there is authorized to be appro-  
3 priated to the Commission not to exceed \$1,500,000 for  
4 fiscal year 1984 and \$1,500,000 for fiscal year 1985.

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98TH CONGRESS  
1ST SESSION

# H. R. 2853

To establish a National Oceans Policy Commission to make recommendations to Congress and the President on a comprehensive national oceans policy.

## IN THE HOUSE OF REPRESENTATIVES

MAY 2, 1983

Mr. JONES of North Carolina (for himself, Mr. ZABLOCKI, Mr. FORSYTHE, Mr. BREAUX, Mr. STUDDS, Mr. D'AMOURS, Mr. YOUNG of Alaska, Mr. PRITCHARD, Mr. GILMAN, Mr. HUBBARD, Mr. LEACH of Iowa, Mr. YATRON, Mr. HUGHES, Mr. BONKER, and Mrs. SCHNEIDER), introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and Merchant Marine and Fisheries

## A BILL

To establish a National Oceans Policy Commission to make recommendations to Congress and the President on a comprehensive national oceans policy.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "~~National Ocean Policy~~  
5 ~~Commission Act of 1983~~".

### 6 SEC. 2. FINDINGS AND PURPOSE.

7 (a) FINDINGS.—The Congress finds that it is in the na-  
8 tional interest to:



1           (1) encourage the development of international  
2 oceans law in a manner that will ~~promote the peaceful~~  
3 ~~uses of the oceans~~ and balance the interests of the  
4 United States and all nations;

5           (2) encourage and promote the continued leader-  
6 ship of the United States in conducting research on,  
7 and in conserving, managing, and developing marine  
8 resources (which includes living and nonliving re-  
9 sources of the marine environment);

10          (3) promote the wise use and compatible develop-  
11 ment of marine resources;

12          (4) encourage United States investments in the  
13 exploration and development of marine resources and  
14 technologies; and

15          (5) ensure the equitable allocation of the responsi-  
16 bilities for marine resource research, conservation,  
17 management, and development among various levels of  
18 government and the private sector, and promote the ef-  
19 ficient use of limited fiscal resources for such research,  
20 conservation, management, and development.

21          (b) PURPOSE.—The purpose of this Act is to establish a  
22 commission that will develop recommendations for Congress  
23 and the President on a comprehensive national oceans policy  
24 that is consistent with the national interest identified under  
25 subsection (a).

1 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

2 To carry out the purpose of this Act, there is hereby  
3 established a commission to be known as the National Oceans  
4 Policy Commission (referred to in this Act as the “Commis-  
5 sion”).

6 **SEC. 4. DUTIES OF THE COMMISSION.**

7 (a) **RECOMMENDATIONS.**—(1) The Commission shall  
8 develop recommendations on a comprehensive national  
9 oceans policy to carry out the purpose of this Act.

10 (2) The Commission shall **develop recommendations** on  
11 the international and domestic ocean policies, laws, regula-  
12 tions, and practices of the United States that are required to  
13 define and implement the comprehensive national ocean  
14 policy recommended pursuant to paragraph (1). Such recom-  
15 mendations shall—

16 (A) address international ocean policy issues asso-  
17 ciated with recent developments in international oceans  
18 law, including those issues relating to:

19 (i) areas within coastal state resource juris-  
20 diction; and

21 (ii) areas beyond national jurisdiction;

22 (B) include any necessary modifications in existing  
23 United States policies, laws, regulations, and practices  
24 to develop efficient long-range programs for research  
25 on, and the conservation, management, and develop-  
26 ment of, marine resources;

1 (C) address the most equitable allocation of re-  
2 sponsibilities for research on, and the conservation,  
3 management, and development of, marine resources  
4 among Federal agencies, appropriate levels of subna-  
5 tional government, and the private sector; and

6 (D) address any other aspects of United States  
7 marine-related policies, laws, regulations, and practices  
8 deemed necessary by the Commission in carrying out  
9 its duties pursuant to subsection (a).

10 (b) PREPARATORY ANALYSES.—In developing its rec-  
11 ommendations under subsection (a), the Commission shall:

12 (1) take into account the Presidential Proclama-  
13 tion of an Exclusive Economic Zone on March 10,  
14 1983;

15 (2) consider the relationship of United States poli-  
16 cies to the Convention on the Law of the Sea and the  
17 range of actions available to the United States to influ-  
18 ence favorably the practice of other states so as to pro-  
19 mote the national interest identified under section 2(a);

20 (3) survey all significant ocean activities of Feder-  
21 al agencies and departments including those relating to  
22 navigation, marine research, and the conservation,  
23 management, and development of marine resources;

1           (4) assess the existing and projected research and  
2       administrative requirements for conserving, managing,  
3       and developing marine resources;

4           (5) evaluate the relationships among Federal  
5       agencies, and appropriate levels of subnational govern-  
6       ment, and the private sector for fulfilling the research  
7       and administrative requirements identified pursuant to  
8       paragraph (4); and

9           (6) engage in any other preparatory work deemed  
10      necessary to carry out its duties pursuant to subsection  
11      (a).

12   **SEC. 5. MEMBERSHIP OF COMMISSION.**

13      (a) **NUMBER AND APPOINTMENT.**—The Commission  
14   shall consist of fifteen members who shall be appointed by the  
15   President, within sixty days after the enactment of this Act,  
16   in accordance with the provisions of this section.

17      (b) **FEDERAL AGENCY MEMBERS.**—Three members of  
18   the Commission shall be employees of the Federal executive  
19   branch:

20           (1) one such member shall be an employee of the  
21   Department of State;

22           (2) one such member shall be an employee of the  
23   Department of Commerce; and

24           (3) one such member shall represent a Federal de-  
25   partment, other than the Department of State or the

1 Department of Commerce, with a direct interest in na-  
2 tional oceans policy.

3 (c) **NON-FEDERAL MEMBERS.**—The remaining twelve  
4 members of the Commission shall be knowledgeable and ex-  
5 perienced in oceans policy and shall be appointed from the  
6 following categories or qualifications:

7 (1) three members shall be from the private sector  
8 and represent nonprofit organizations (including, but  
9 not limited to, those with consumer and environmental  
10 interests) involved with national oceans policy;

11 (2) five members shall be from the private sector  
12 and represent commercial organizations (including, but  
13 not limited to, those with marine transportation and  
14 living and nonliving marine resource interests) involved  
15 with national oceans policy;

16 (3) two members shall be Governors of coastal  
17 States and shall be from different political parties;

18 (4) two members shall be specialists in ocean  
19 policy from the academic community.

20 (d) **METHOD OF APPOINTMENT.**—

21 (1) The Speaker of the House of Representatives  
22 (referred to in this Act as the “Speaker”) shall prepare  
23 a list of twelve nominees for appointment to the  
24 Commission.

1           (2) The majority leader of the Senate (referred to  
2       in this Act as the “majority leader”) shall prepare a  
3       list of twelve nominees for appointment to the  
4       Commission.

5           (3) The lists of nominees prepared by the Speaker  
6       and the majority leader pursuant to paragraphs (1) and  
7       (2), respectively, shall:

8                 (A) not contain any of the same nominees;

9                 (B) contain nominees that conform to the  
10       categories of qualifications identified in subsection  
11       (c); and

12                (C) be submitted to the President within  
13       thirty days after enactment of this Act.

14           (4) The President shall appoint six members of  
15       the Commission from the list submitted by the Speaker  
16       and six members from the list submitted by the major-  
17       ity leader. No more than three members appointed  
18       from each list may be members of the same political  
19       party.

20       (e) CHAIRMAN AND VICE-CHAIRMAN.—The President,  
21       the Speaker, and the majority leader shall, by consensus, ap-  
22       point a Chairman and Vice-Chairman of the Commission  
23       from members referred to in subsection (c).

24       (f) CONGRESSIONAL ADVISORS.—Congressional advi-  
25       sors shall be composed of:

1           (1) two members of the House of Representatives,  
2           appointed by the Speaker, who shall be from different  
3           political parties; and

4           (2) two members of the Senate, appointed by the  
5           majority leader, who shall be from different political  
6           parties.

7           (g) DESIGNEEES OF GOVERNORS.—Gubernational ap-  
8           pointees may designate an officer or employee of their State  
9           to act in their place as a member. The designee shall be  
10          considered to have been appointed by the President.

11          (h) TERMS.—Members shall be appointed for the life of  
12          the Commission.

13          (i) VACANCIES.—A vacancy shall be filled in the same  
14          manner in which the original appointment was made. A va-  
15          cancy in Federal members shall be filled by appointment in  
16          accordance with subsection (b). A vacancy in non-Federal  
17          members shall be filled by appointment by the President in  
18          accordance with subsection (c). The new member shall meet  
19          the same qualifications as the member who has vacated the  
20          position and shall be selected from a new list of at least two  
21          nominees prepared by the Speaker or the majority leader, as  
22          appropriate.

23          (j) PAY OF MEMBERS.—(1) Except as provided in para-  
24          graph (2), members of the Commission shall each be paid at a  
25          rate not to exceed the rate of basic pay payable for grade 18

1 of the General Schedule for each day (including travel time)  
2 during which they are engaged in the actual performance of  
3 duties vested in the Commission.

4 (2) Members of the Commission who are officers or em-  
5 ployees of the United States may not receive pay by reason  
6 of their service on the Commission.

7 (3) Members of the Commission may be allowed travel  
8 expenses, including per diem in lieu of subsistence, as may be  
9 authorized by law for persons in Government service em-  
10 ployed intermittently.

11 (k) MEETINGS.—The Commission shall meet at the call  
12 of the Chairman or a majority of its members.

13 **SEC. 6. DIRECTOR AND STAFF OF COMMISSION.**

14 (a) DIRECTOR.—The Commission shall have a Director  
15 who shall be appointed by the Chairman and who shall be  
16 paid at a rate not to exceed the rate of basic pay payable for  
17 grade 18 of the General Schedule. The Director shall be  
18 knowledgeable in oceans policy and shall have administrative  
19 experience.

20 (b) STAFF.—Subject to such rules as may be prescribed  
21 by the Commission and consistent with existing laws and  
22 regulations, the Director may appoint such personnel as the  
23 Director considers appropriate.

24 (c) EXPERTS AND CONSULTANTS.—Subject to such  
25 rules as may be prescribed by the Commission, the Director



1 may procure temporary and intermittent services under sec-  
2 tion 3109(b) of title 5, United States Code.

3 (d) STAFF OF FEDERAL AGENCYS.—Upon request of  
4 the Commission, **the head of any Federal agency shall detail**  
5 **any of the personnel of such agency to the Commission to**  
6 **assist the Commission in carrying out its duties under this**  
7 **Act.**

8 SEC. 7. POWERS OF COMMISSION.

9 (a) HEARINGS AND SESSIONS.—The Commission may,  
10 for the purposes of carrying out this Act, hold hearings, con-  
11 duct meetings, take testimony, and receive evidence, as the  
12 Commission considers appropriate. The Commission may ad-  
13 minister oaths or affirmations to witnesses appearing before  
14 it.

15 (b) POWERS OF MEMBERS AND AGENTS.—Any  
16 member or agent of the Commission may, if so authorized by  
17 the Commission, take any action which the Commission is  
18 authorized to take by this section.

19 (c) OBTAINING OFFICIAL DATA.—**The Commission**  
20 **may secure directly from any department or agency of the**  
21 **United States information necessary to enable it to carry out**  
22 **this Act. Upon request of the Chairman of the Commission,**  
23 **the head of the department or agency shall furnish such infor-**  
24 **mation to the Commission.**

1 (d) **MAILS.**—The Commission may use the United  
2 States mails in the same manner and under the same condi-  
3 tions as other departments and agencies of the United States.

4 (e) **ADMINISTRATIVE SUPPORT SERVICES.**—The Gen-  
5 eral Services Administration shall provide to the Commission  
6 on a reimbursable basis the administrative support services  
7 that the Commission may request.

8 (f) **CONTRACTS.**—The Commission is authorized to  
9 enter into contracts with Federal and State agencies, private  
10 firms, institutions and individuals for the conduct of surveys  
11 or research, the preparation of reports, and for other activi-  
12 ties that may be necessary to discharge its duties.

13 (g) **SUBPENA POWER.**—The Commission may issue  
14 subpoenas requiring the attendance and testimony of witnesses  
15 and the production of any evidence that relates to any matter  
16 which the Commission is required to review under section 4.

17 **SEC. 8. REPORTS BY COMMISSION.**

18 (a) The Commission shall submit to the President and to  
19 each House of the Congress within one year after the enact-  
20 ment of this Act an interim report pursuant to its duties pro-  
21 vided under section 4, giving special consideration to section  
22 4(a)(2)(A)(i).

23 (b) The Commission shall ~~submit a final report~~ to the  
24 President and to each House of the Congress not later than  
25 ~~two years after~~ the date on which the Commission first

1 meets. The final report shall contain the recommendations  
2 formulated by the Commission in accordance with section  
3 4(a) (1) and (2) and may include the suggested legislative and  
4 administrative actions that the Commission deems appropri-  
5 ate, as well as a detailed statement of the findings and con-  
6 clusions on which the recommendations are based.

7 **SEC. 9. REPORTS BY FEDERAL AGENCIES.**

8       The head of each Federal department, agency, or in-  
9 strumentality that is responsible for any law or program that  
10 relates to the Exclusive Economic Zone of the United States  
11 shall submit a brief report to Congress, the President, and  
12 the Commission describing such laws, regulations, or pro-  
13 grams within four months of enactment of this Act.

14 **SEC. 10. TERMINATION OF COMMISSION.**

15       The Commission shall cease to exist on the thirtieth day  
16 after the day on which the final report is submitted under  
17 section 8.

18 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

19       To carry out this Act, there is authorized to be appro-  
20 priated to the Commission not to exceed \$1,500,000 for  
21 fiscal year 1984 and \$1,500,000 for fiscal year 1985.

○

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(8) Subsection (e) of section 613 of such Code is amended—

(A) by striking out "deposits" each place it appears in paragraph (1) and inserting in lieu thereof "properties"; and

(B) by striking out "DEPOSITS" in the subsection heading and inserting in lieu thereof "PROPERTIES".

(9) Subsection (b) of section 614 of such Code is amended—

(A) by striking out "geothermal deposits" in the text and inserting in lieu thereof "geothermal wells"; and

(B) by striking out "GEOTHERMAL DEPOSITS" in the subsection heading and inserting in lieu thereof "GEOTHERMAL WELLS".

(10) Paragraph (1) of section 614(c) of such Code is amended by striking out "oil and gas wells and geothermal deposits" each place it appears and inserting in lieu thereof "oil, gas, and geothermal wells".

By Mr. HOLLINGS (for himself and Mr. PELL):

S. 1238: A bill to encourage and promote the continued leadership of the United States in ocean policy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

NATIONAL OCEAN POLICY COMMISSION ACT OF 1983

● Mr. HOLLINGS. Mr. President, today I am introducing a bill to create a blue-ribbon panel whose purpose is to develop a comprehensive set of recommendations for U.S. ocean policy, based on an evaluation of our current international and domestic ocean interests. This panel would be known as the National Ocean Policy Commission. It is patterned on the highly successful Stratton Commission of the mid-1960's which generated many of the ideas and recommendations that underlie our present-day network of ocean law and policy. I am honored to be joined on this bill by the distinguished senior Senator from Rhode Island, Senator PELL, who has been a loyal and vigorous defender of this Nation's ocean interests throughout his career in National Government.

The Stratton Commission, formally named the Commission on Marine Science, Engineering, and Resources, was established by legislation enacted a few months before my first days in the Senate. I watched the work of that Commission for the next 2 years, and was impressed by the teamwork, esprit de corps, and inspiration of its members and staff. The recommendations in the Commission's landmark report, "Our Nation and the Sea," led to the creation of a lead civilian ocean agency (NOAA), the Coastal Zone Management Act, the estuarine sanctuaries program, the ocean dumping research program, expanded sea grant marine advisory services, and a variety of atmospheric programs like the world weather watch.

Much has transpired since the Stratton Commission published its report in January 1969. Only a few months ago did we see a treaty emerge from the exhausting and exhaustive Third United Nations Conference on the Law of the Sea. That event marked the be-

ginning of a period when our Nation will have to determine how to proceed while much of the world works toward the implementation of a treaty that we have not signed. The Coast Guard is faced with the dilemma of how to make the most effective use of dwindling resources in light of such major new commitments as fisheries law enforcement, drug interdiction, and marine environmental protection. These were responsibilities that the Coast Guard, winding down its involvement in Vietnam, would have had difficulty predicting in 1969.

At the time of the Stratton Commission, there was an awareness of the national value of programs that employed Federal funds to bring our many levels of government together on issues. This is the spirit of the coastal zone management and sea grant college programs. The coastal zone program was not even in existence in 1969 and sea grant was just getting started. Now some 26 coastal States have coastal zone management systems. And a collaborative network of universities, industry, and State and local governments has been forged through sea grant matching funds, for the advancement of the marine economy and education and research in fields of marine expertise. In 1983 we face great budgetary pressures and the administration has suggested that the States and private sector can keep these worthwhile activities going without Federal help.

A National Ocean Policy Commission will present us with an opportunity to gain the insights of thoughtful, dedicated individuals into the direction ocean policy should take amid these rapidly changing circumstances.

The Commission can take a look at U.S. international ocean policy, insulated from the political controversy surrounding the President's decision not to sign the Law of the Sea Treaty. It will also be able to make a fresh evaluation of the appropriate function and location of the National Oceanic and Atmospheric Administration within the executive branch. Such an evaluation is especially important since the President's decision to seek creation of a Department of Trade has been silent on plans for NOAA if the reorganization is accomplished. Furthermore, the Commission can recommend the proper balance of responsibilities among Federal, State, local, and private interests—an essential task before a fair, reasoned judgment can be made on how much of our ocean programs should be borne by the States.

In this bill we seek to establish a body whose members are knowledgeable and experienced in ocean policy matters and come from diverse backgrounds with consumer and environmental groups, marine industries, and the academic community. In addition, we would have gubernatorial and congressional advisers to insure that the Commission makes its recommenda-

tions with an understanding of the political context.

In the foreword to "Our Nation and the Sea" the Stratton Commission made the following closing statement:

The Commission harbors no illusions that it has provided final answers to the multitude of questions that relate to the future of the seas. Indeed, the legislation of 1966 itself was envisaged by the Congress only as a first step, and we recognize that no report, no program, can be valid for all time. But we earnestly hope that the work of this Commission will lead to constructive action and a major advance for our Nation and the Sea.

This is a modest statement by a group that succeeded in producing a genuine blueprint for action. I would hope that the commission contemplated by this bill will produce recommendations as effective in making further advances for our Nation and the sea.

● Mr. PELL. Mr. President, today it is with great pleasure that I join the distinguished Senator from South Carolina, Senator HOLLINGS, in introducing legislation to create a new U.S. Ocean Commission—a Commission to be charged with analyzing, reviewing, and formulating policy recommendations concerning our myriad domestic and international oceans interests. It is my hope that with the creation of this Commission, U.S. oceans policy will be removed from the political morass into which it has fallen.

I need not reiterate at length, at this time, my well-known views on the ill-conceived decisions by the President to reject the Law of the Sea Treaty, finally negotiated after years of effort and compromise; and to go ahead, precipitously in my view, to establish an exclusive economic zone (EEZ) within 200 miles of our shores. However, I will say that the price the President has paid for all the rankling over these decisions, both in and outside of the administration, has been the creation of an environment in which sound and well-informed policy formulation has become exceedingly difficult, if not impossible. This has led to a vacuum in U.S. oceans policy, as it relates to international affairs. In addition, U.S. oceans policy has suffered domestically from lack of leadership from the administration with regard to the promotion of the wise use and compatible development of our marine resources.

In order to remove such an important subject from this charged environment, Senator HOLLINGS and I are today proposing the establishment of an Ocean Commission. The proposed Commission will be made up of 15 members to be chosen from Federal agencies, academia, industry, and public interest groups involved in various ocean uses. Several Members from the House and Senate as well as eight gubernatorial representatives representing various regions will also serve as advisers to the Commission. The President will select the non-Federal Government members of the

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Commission from two bipartisan lists of individuals representing oceans experts and interested parties submitted to him by the Speaker of the House, and the Senate majority leader. The Commission will be broadly charged with reviewing current laws, regulations, and policies which effect U.S. oceans interests, and making recommendations to the Congress and the President on a comprehensive national oceans policy that encompasses international and domestic considerations and reflects our overall national interest. The Commission will cease to function after the 2-year schedule provided in the bill, following the submission of a written report on its findings and recommendations. The costs to the taxpayer will be modest, and the potential benefits of a carefully framed oceans policy immense.

As you probably are aware Mr. President, this is not the first time Congress has created an oceans commission to review, analyze, and make recommendations concerning U.S. oceans policy. In 1966, pursuant to the Marine Resources and Engineering Development Act, the U.S. Commission on Marine Science, Engineering, and Resources was established. This Commission which came to be known as the Stratton Commission, after its distinguished Chairman, Julius A. Stratton of the Ford Foundation, labored for 2 years, and in that time very successfully fulfilled its mandate to investigate and make recommendations on a vast array of marine problems.

The comprehensive final report of the Stratton Commission provided an in-depth examination of both current and long-term developments with respect to the future management and development of the living and nonliving resources of the oceans; with respect the necessity and possible methods for protection the marine environment; and with respect to the national security and the economic imperative for promoting the advancement of marine science and technology. Further, the Commission recognized the need for a new international legal/political framework if the United States is to successfully explore and exploit the riches of the oceans beyond our territorial waters. Last but by no means least, the Commission recommended that an independent agency be created to act as the umbrella organization to rationalize our policy formulation with respect to the vast and often conflicting issues and overlapping jurisdictions which have come to characterize oceans matters. I am speaking of the creation of the very successful National Oceanic and Atmospheric Administration (NOAA).

As you can see, the very fruitful work of the Stratton Commission of the 1960's provided an ambitious agenda for U.S. policymakers to pursue in the 1970's. It is my hope that after the 2-year period of deliberations by our newly proposed Com-

mission, it will prove as successful as the Stratton Commission in developing an ambitious, comprehensive, and well-balanced agenda for the 1980's and 1990's. I cannot stress too strongly how important it is that the United States adopt and pursue such an agenda. Perhaps the words of the Stratton Commission express it best:

How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its position and influence in the world community, and the quality of the environment in which its people live.●

By Mr. WEICKER:

S. 1239. A bill to provide for the development and implementation of programs for children and youth camp safety; to the Committee on Labor and Human Resources.

#### CHILDREN AND YOUTH CAMP SAFETY ACT

● Mr. WEICKER. Mr. President, today I am pleased to introduce the Children and Youth Camp Safety Act. For well over a decade my former colleague from Connecticut, Senator Ribicoff, and I have worked to provide protection for youngsters who attend our Nation's summer camps. We have pointed out that while 8 to 10 million boys and girls attend 10,000 summer camps each year, only 10 States have any type of agency responsible for monitoring camp conditions and operations. We have urged this body to pass legislation that establishes a Federal role in aiding States to develop camp health and safety standards. Unfortunately, no affirmative steps have yet been taken.

It is hard to believe, but most States make no effort to safeguard our millions of camping youngsters by requiring that any minimum safety standards be met. Each summer we see the results: drownings, accidental shootings, blindings, and disabling injuries. To an alarming extent, these are the results of poorly trained camp staffs, many of whom are juveniles themselves, and dilapidated facilities that are somehow thought adequate for camping youngsters under the guise of roughing it.

In March of 1978 my constituent, Mitch Kurman of Westport, Conn., appeared before the Senate Subcommittee on Child and Human Development and forcefully presented the case for Federal camp safety legislation. Mitch lost his own son in a tragic camping accident in Maine and he has devoted many years to documenting camp accidents and unsafe camp conditions throughout the United States. He has aroused the conscience of many Americans and I commend him for his tireless efforts on behalf of meaningful camp safety standards.

States are well aware of the problem. Yet the protection necessary to safeguard the health and well-being of our Nation's youth has not yet materialized. In an effort to prevent future deaths or accidents, this bill would provide for Federal financial and tech-

nical aid to States to encourage them to develop programs for implementing youth camp safety standards. Furthermore, this measure would insure that States and youth camps are not overburdened by necessary Federal regulations. It would essentially direct any Federal standard promulgated by the Office of Youth Camp Safety to the Congress for its approval within 60 days.

Now, let us work expeditiously, Mr. President, to see that in this session of Congress prompt and favorable action will be taken to alleviate this persistent problem of camp accidents. Early passage will mean one less summer of disability or death due to preventable camping accidents.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1239

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Children and Youth Camp Safety Act".*

#### STATEMENT OF PURPOSE

SEC. 2. (a) It is the purpose of this Act to protect and safeguard the health and well-being of the youth of the Nation attending day camps, residential camps, short-term group camps, travel camps, trip camps, primitive or outpost camps, and Federal recreational youth camps, by providing for establishment of Federal standards for safe operation of youth camps, to provide Federal financial and technical assistance to the States in order to encourage them to develop programs and plans for implementing safety standards for youth camps, and to provide for the Federal implementation of safety standards for youth camps in States which do not implement such standards and for Federal recreational youth camps, thereby providing assurance to parents and interested citizens that youth camps and Federal recreational youth camps meet minimum safety standards.

(b) In order to protect and safeguard adequately the health and well-being of the children and youth of the Nation attending camps, it is the purpose of this Act that youth camp safety standards be applicable to intrastate as well as interstate youth camp operators.

#### CONGRESSIONAL INTENT REGARDING STATE INVOLVEMENT

SEC. 3. It is the intent of Congress that the States assume responsibility for the development and enforcement of effective youth camp safety standards. The Secretary shall provide, in addition to financial and technical assistance, consultative services necessary to assist in the development and implementation of State youth camp safety standards.

#### DEFINITIONS

SEC. 4. For purposes of this Act:

(1) The term "youth camp" means any residential camp, day camp, short-term group camp, troop camp, travel camp, trip camp, primitive or outpost camp, or Federal recreational youth camp located on private or public land, which—

(A) is conducted as a youth camp for the same ten or more campers under eighteen years of age;